

ENROLLING CLERK OF SENATE INSTRUCTED TO  
MAKE CERTAIN CORRECTIONS IN S. B. NO. 262.

H. C. R. No. 100.]

HOUSE CONCURRENT RESOLUTION.

BE IT RESOLVED by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the Senate be instructed to strike out the words, "except counties," in lines 10 and 14 on the third page and in lines 26 and 27 and in line 31 of page six of Senate Bill No. 262, presented by the Conference Committee on said bill and as adopted by the Senate and House.

Filed in the Department of State, May 26, 1933, with the Governor's signature.

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PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE  
CONSTITUTION OF TEXAS, ABOLISHING FEE  
METHOD OF COMPENSATING DISTRICT  
AND COUNTY OFFICERS.

S. J. R. No. 2.]

SENATE JOINT RESOLUTION.

A Joint Resolution proposing an amendment to the Constitution of the State of Texas by adding to Article XVI another section, Section 61, providing for abolishing the fee method of compensating all district officers of this State and county officers in counties of this State having a population of twenty thousand (20,000) or more, and providing that all such district and county officers be paid on a salary basis, and providing that all precinct officers may be compensated on a fee basis or on a salary basis and authorizing the Commissioners Court to determine whether certain county and precinct officers shall be paid on a fee basis or a salary basis.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. That the Constitution of the State of Texas, Article 16, be amended by adding thereto another section, Section 61, which shall read as follows:

"Section 61. All district officers in the State and all county officers in counties having a population of twenty thousand (20,000), or more, according to the then last preceding Federal census, shall hereafter be compensated on a salary basis. In all counties of this State the Commissioners' Court shall be authorized to determine whether precinct officers shall be com-

pensated on a fee basis or on a salary basis; and in counties having a population of less than twenty thousand (20,000), according to the then last preceding Federal census, the Commissioners' Court shall also have the authority to determine whether county officers shall be compensated on a fee basis or on a salary basis. All fees earned by district, county and precinct officers shall be paid into the County Treasury where earned, for the account of the proper fund, provided that fees incurred by the State, county and any municipality, or in case where pauper's oath is filed, shall be paid into the County Treasury, when collected, and provided that where any officer is compensated wholly on a fee basis, such fees may be retained by such officer, or paid into the Treasury of the county as the Commissioners' Court may direct. All notaries Public, County Surveyors and Public Weighers shall continue to be compensated on a fee basis."

SEC. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified voters of this State and the next general election to be held on Tuesday, after the first Monday on November, A. D. 1934, at which election all voters favoring said proposed amendment shall write or have printed on their ballots the words:

"For the Amendment to the Constitution of the State of Texas adding Section 61 to Article XVI, abolishing the Fee System of compensating all district officers and all county officers in counties having a population of twenty thousand (20,000) or more; and authorizing the Commissioners' Court to determine whether county officers in counties containing less than twenty thousand (20,000) population shall be compensated on a fee basis or a salary basis; and authorizing the Commissioners' Court in all counties of this State to determine whether precinct officers shall be compensated on a fee or a salary basis."

"Against the Amendment to the Constitution of the State of Texas adding Section 61 to Article XVI, abolishing the Fee System of compensating all district officers and all county officers in counties having a population of twenty thousand (20,000) or more; and authorizing the Commissioners' Court to determine whether county officers in counties containing less than twenty thousand (20,000) population shall be compensated on a fee basis or a salary basis; and authorizing the Commissioners' Court in all counties of this State to determine whether precinct officers shall be compensated on a fee or a salary basis."

Each voter shall scratch out with pen or pencil the clause which he desires to vote against so as to indicate whether he is voting for or against said proposed amendment.

SEC. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and to have same published as required by the Constitution.

SEC. 4. The sum of Five Thousand (\$5,000.00) Dollars, or

so much thereof as may be necessary is hereby appropriated out of any funds of the Treasury of the State of Texas not otherwise appropriated to pay the expenses of such publication and election.

[NOTE.—S. J. R. No. 2 passed the Senate, February 21, 1933, by a vote of 31 yeas, 0 nays; Senate concurred in House amendments, May 18, 1933, by a vote of 25 yeas, 0 nays; passed the House, with amendments, May 16, 1933, by a vote of 120 yeas, 6 nays.]

Filed in the Department of State, May 26, 1933, with the Governor's signature.

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A. A. OSTERMAYER GIVEN CONSENT TO MAKE THE  
STATE A PARTY DEFENDANT IN A SUIT AGAINST  
THE STATE HIGHWAY DEPARTMENT.

S. C. R. No. 39.]

SENATE CONCURRENT RESOLUTION.

WHEREAS, A. A. Ostermayer, of Galveston, Texas, instituted a certain suit in the District Court of Galveston County during the December, 1932 term of said court against W. R. Ely, Cone Johnson and D. K. Martin, constituting and composing the State Highway Commission of the State of Texas, at the time of filing of said suit; and

WHEREAS, said suit is entitled as A. A. Ostermayer vs. W. R. Ely, et al., and Numbered 48,704, on the docket of said court; and

WHEREAS, the purpose of said Ostermayer in filing said suit as aforesaid was and is to establish his legal title to certain real property set out and described in said suit, and for a matter of convenience is again set out herein as follows:

FIRST TRACT: A portion of that certain tract conveyed to plaintiff, deed recorded in Volume 421, pages 285-87, of the Deed Records of Galveston County, Texas, described as follows: Commencing at the Southwest corner of fractional Block 55, Subdivision "K" of the Cook and Stewart Subdivision to the Town of La Marque; situated in the John D. Moore League as shown by map and plat thereof recorded in Vol. 81, Page 526, of the Deed Records of Galveston County, Texas; thence along the said South line of said fractional Block 55 to a point where said boundary line is intersected by the Westerly Boundary Line of present State Highway No. 6 for the Southwest corner of this tract; thence East along said South Boundary Line of fractional Block 55 as extended to the West Boundary Line of Fourth Avenue; thence North along the